

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 6, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-33597 - APPLICANT: LAKES CONGREGATION OF
JEHOVAH'S WITNESSES - OWNER: ARMONDO TULLY

**** CONDITIONS ****

The Planning Commission (4-2/sc/gt vote) recommends DENIAL. Staff recommends APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request to Amend a portion of the Southwest Sector Plan of the General Plan from DR (Desert Rural Density Residential) to PF (Public Facilities) on 1.49 acres at the northeast corner of O'Bannon Drive and Lisa Lane. In addition to this application, the applicant has submitted a request for a Rezoning (ZON-33598) from U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation] to C-V (Civic) and a Site Development Plan Review (SDR-33599) for a proposed one-story, 18-foot tall 4,576 square-foot Church/House of Worship. The proposed PF (Public Facilities) General Plan designation is compatible with the surrounding land use designations and is an appropriate category for the Church/House of Worship use proposed for this property through Site Development Plan Review (SDR-33599); therefore, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/19/86	The City Council approved a Petition to Annex (A-0009-85) the subject property as part of a larger request. The effective date of this Annexation was 03/26/86.
11/23/98	The City Council approved a request for a General Plan Amendment (GPA-0027-98) to amend a portion of the Southwest Sector of the General Plan on properties bounded by Holmby Avenue, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval of this request.
04/06/05	The Planning and Development Department administratively approved a Parcel Map (PMP-5279) for three residential lots at the northeast corner of O'Bannon Drive and Lisa Lane. The Parcel Map was never recorded.
04/09/09	The Planning Commission recommended denial of companion items ZON-33598 and SDR-33499 concurrently with this application. The Planning Commission voted 4-2/se/gt to recommend DENIAL (PC Agenda Item #31/dc).
<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses associated with this request.	
<i>Pre-Application Meeting</i>	
01/23/09	A pre-application meeting was held with the applicant where the submittal requirements of a Site Development Plan Review, Rezoning and General Plan Amendment were discussed.

<i>Neighborhood Meeting</i>	
03/09/09	<p>A neighborhood meeting was held at 6:00 pm at the Sahara West Library, Board Room, located at 9600 West Sahara Avenue, Las Vegas, Nevada 89117. There were 12 members of the public, four representatives of the applicant and one member of the Planning and Development Department present.</p> <p>Questions from the public were as follows:</p> <ul style="list-style-type: none"> • Parking capacity • Maximum occupancy of the church – The applicant responded 189 persons • Church service times - The applicant responded Sunday and Saturday no later than 6:00 pm end time, Monday-Friday 7:00 pm to 9:30 pm • Increased traffic on Lisa Lane and O'Bannon Drive • Request a traffic signal be installed at O'Bannon Drive and Durango Drive • Height of the building – The applicant responded 17 feet
<i>Field Check</i>	
03/05/09	<p>A field check was conducted by staff at the subject property. The subject property was an undeveloped lot surrounded by a chainlink fence, which was noted as laying on the ground along the southern perimeter of the property. Several earth mounds and weeds were noted on site.</p>

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.49

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural Density Residential)	U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation]
North	Undeveloped	DR (Desert Rural Density Residential)	U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation]
South	Single-Family Residences	DR (Desert Rural Density Residential)	R-E (Residence Estates)
East	Single-Family Residences	DR (Desert Rural Density Residential)	R-E (Residence Estates)
West	Single-Family Residences	R (Rural Density Residential)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District	X		Y*
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

* The subject property is located within a Rural Preservation Neighborhood 330-foot buffer area. The subject property meets the intent of the Rural Preservation Neighborhood 330-foot buffer area by providing an adequate buffer area, adequate screening and an orderly and efficient transition of uses.

ANALYSIS

The subject site is located in the Southwest Sector of the General Plan and has a current General Plan designation of DR (Desert Rural Density Residential). This is a proposal to amend the General Plan designation to PF (Public Facilities). The Public Facilities category allows for large governmental building sites and complexes, police and fire facilities, hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries and public utility facilities.

A companion application to Rezone (ZON-33598) the site from the U (Undeveloped [DR (Desert Rural Density Residential) General Plan designation] district to the C-V (Civic) district has also been submitted by the applicant. The proposed C-V (Civic) district is intended to provide for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities. In addition, the C-V (Civic) district may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The C-V (Civic) district is consistent with the Public Facilities category of the General Plan.

With the approval of this proposed General Plan Amendment to the PF (Public Facilities) land use designation and Rezoning (ZON-33598) to the C-V (Civic) zoning district, the proposed Church/House of Worship is a permissible use. The surrounding parcels to the north, east and south carry a DR (Desert Rural Density Residential) General Plan designation while the parcels to the west are designated R (Rural Density Residential). The two zoning districts permissible within the existing DR (Desert Rural Density Residential) General Plan designation are U (Undeveloped) and R-PD2 (Residential Planned Development – Two Units per Acre), both of which cannot be utilized to facilitate the development the proposed Church/House of Worship use as the U (Undeveloped) zoning district functions as a temporary classification to be used until property is ready to be developed for a more intense, permanent use while the R-PD2 (Residential Planned

Development – Two Units per Acre) is intended to provide for flexibility and innovation in residential development. As such, the applicant has requested this General Plan Amendment to change the General Plan designation from DR (Desert Rural Density Residential) to PF (Public Facilities) and a Rezoning (ZON-33598) from U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation] to C-V (Civic). The proposed Public Facilities General Plan designation is compatible with the surrounding land use designations and is an appropriate category for the Church/House of Worship use proposed for this property through Site Development Plan Review (SDR-33599); therefore, staff recommends approval of this request.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,
2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and
4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to “1”:

The applicant has proposed locating a one-story, 18-foot tall 4,576 square-foot Church/House of Worship on the subject property. The proposed General Plan Amendment to PF (Public Facilities) allows large governmental building sites, complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, schools, parks and other uses considered public or quasi-public such as libraries, clubs and public utility facilities, which will help facilitate the development of the proposed Church/House of Worship. The adjacent land use designations include R (Rural Density Residential) to the west and DR (Desert Rural Density Residential) to the north, east, and south which are compatible with the proposed designation.

In regard to “2”:

The zoning district applicable under the proposed General Plan designation is a C-V (Civic) district. The applicant has requested a zone change from U (Undeveloped) [DR (Desert Rural Density Residential) General Plan designation] to the C-V (Civic) district as a companion item (ZON-33598). The C-V (Civic) district is compatible with existing adjacent land uses and zoning district as the proposed 4,576 square-foot Church/House of Worship with a maximum occupancy of 189 persons is a low-volume neighborhood use.

In regard to “3”:

Access to the site is provided by O’Bannon Drive, a 60-foot Local Street as designated by the Master Plan of Streets and Highways. The subject property is located within an area of the City where all utilities, fire and police services are currently in place and available. Therefore, there are adequate facilities available to accommodate the uses and densities permitted by the proposed General Plan Amendment.

In regard to “4”:

No other plans apply to this site.

PLANNING COMMISSION ACTION

There were three speakers in protest at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 293 by City Clerk

APPROVALS 3

PROTESTS 12